

REMARKS

Applicants thank Examiner Duhol for discussing the merits of the application with the undersigned attorney during a telephonic interview on November 22, 2004 and further acknowledge with thanks the allowance of claims 21-32.

During this telephonic interview, the undersigned attorney and Examiner Duhol discussed the patentability of the application relative to U.S. Pat. No. 6,325,632 to Chao et al. ("Chao") in view of U.S. Pat. No. 6,544,042 to Lippman ("Lippman") and U.S. Pat. No. 6,236,975 to Boe et al. ("Boe"). In particular, the undersigned indicated that Chao does not teach exchanging at least some messages independently of the server in that Chao's session manager monitors the duration of sessions, allows for trial sessions, establishes sessions, and monitors sessions between teachers and students (see Chao FIG. 7; column 5, line 66 to column 6, line 18; and column 2, lines 46-50) and that such session manager operates on a server computer (see Chao FIG. 1 and column 7, lines 4-7). Further, the system in Chao determines the amount that a student owes to the instructor based on the duration of a session as monitored by the session manager (Chao column 2, lines 50-51 and column 6, lines 45-54). Accordingly, interpreting Chao to enable the exchange of at least some messages pertaining to a course independently of a server system is not supported by Chao's specification and would indeed make embodiments disclosed in Chao inoperable, because there would be no specified way to determine the amount of payment that was due by a student. The Lippman and Boe references are also silent in this regard and thus do not provide any teaching or motivation with respect to the claim limitation.

Examiner Duhol agreed with the above comments and suggested adding clarifying language to independent claim 21 (see amendments set forth in the Examiner's Amendment transmitted concurrently with the Notice of Allowance), which was agreed to by the undersigned solely for the purposes of expediting the allowance of the application.

Applicants respectfully submit that the above comments sufficiently set forth the substance of the November 22, 2004 telephonic interview and that the proposed amendment to correct minor matters in claim 21 is proper and does not adversely affect the allowability of such claim.

Respectfully submitted,

Date: January 3, 2005

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